

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  U S WEST COMMUNICATIONS, INC., AND QWEST INC.	DOCKET NO. SPU-99-27
--	----------------------

**ORDER GRANTING MOTIONS TO ACCEPT LATE-FILED TESTIMONY**

(Issued February 1, 2000)

On September 20, 1999, Qwest Communications Corp., LCI International Telecom Corp., USLD Communications Inc., and Phoenix Network Inc. (collectively "Qwest"), and U S WEST Inc. filed with the Utilities Board (Board) a "Joint Application" for an order approving the proposed merger of Qwest Inc. and U S WEST, Inc. (collectively, the "Applicants"), pursuant to IOWA CODE §§ 476.76 and 476.77 (1999). The filing has been identified as Docket No. SPU-99-27.

On January 12, 2000, AT&T Communications of the Midwest, Inc. (AT&T), and McLeodUSA Telecommunications Services, Inc. (McLeod), intervenors, each filed motions to accept late-filed testimony, accompanied by the testimony. McLeod and AT&T state that they served data requests on the Applicants at earlier stages of this docket, requests that had not been answered at the time the intervenors' direct testimony was due. As a result, on December 7, 1999, the Board issued an order giving AT&T until January 12, 2000, to file additional testimony based upon any

information AT&T learned through further discovery. McLeod reserved a similar right in the cover letter accompanying its prepared direct testimony.

The intervenors also argue that the December 14, 1999, filing by Qwest Communications Corporation, a Qwest subsidiary, in Docket No. TCU-99-44 also provides grounds for accepting their late-filed testimony. McLeod and AT&T both argue that this filing, which occurred after their testimony was due in this docket, is a relevant event they should be permitted to address in this docket.

The Board finds that the AT&T and McLeod motions to accept late-filed testimony should be granted.

**IT IS THEREFORE ORDERED:**

The motions to accept late-filed testimony filed on January 12, 2000, by McLeodUSA Telecommunications Services, Inc., and AT&T Communications of the Midwest, Inc., are granted.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.      /s/ Diane Munns  
Executive Secretary

Dated at Des Moines, Iowa, this 1<sup>st</sup> day of February, 2000.